

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ESSAR STEEL ALGOMA INC., *et al.*,

Plaintiffs,

-against-

SOUTHERN COAL SALES CORPORATION,

Defendant.

Case No. 1:17-mc-00360-AT-RWL

**PLAINTIFF ESSAR STEEL ALGOMA INC.'S
RESPONSE TO MOTION TO WITHDRAW**

Essar Steel Algoma Inc. (“Algoma”) submits this response to the Motion to Withdraw (Dkt. 148) that Defendant Southern Coal Sales Corporation’s (“Southern Coal’s”) current counsel, Kelley Drye & Warren LLP, filed on July 9, 2019 (the “Motion”). Algoma takes no position with respect to Kelley Drye’s request to withdraw as counsel for Southern Coal, based on counsel’s representation that its withdrawal will not prejudice Algoma and will not cause disruption in this litigation. (Dkt. 149, p. 4.) Given that this case has been pending for more than two years, that Defendant has twice replaced counsel, and that the parties are currently engaged in expert discovery, Algoma is opposed to any further delay in this matter, and accordingly will file a letter motion in the next week with a proposed scheduling order requesting that the Court set a case schedule with deadlines that move this matter forward.

Additionally, it appears that if Kelley Drye withdraws, Southern Coal will be without New York counsel. Accordingly, Algoma requests that, should the Court grant the Motion, the Court set a date certain by which Southern Coal must obtain local counsel.

Accordingly, based on counsel's representations, Algoma does not oppose the Motion to Withdraw.

Respectfully submitted,

THOMPSON HINE LLP

Dated: July 24, 2019

By: /s/ Kip T. Bollin

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Attorneys for Plaintiff Essar Steel Algoma Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of July, 2019, a copy of the foregoing was served via the Court's ECF system to all counsel of record.

/s/ Kip T. Bollin

One of the Attorneys for Plaintiff Essar Steel Algoma, Inc.